

# HERTZ, CHERSON & ROSENTHAL, P.C.

ATTORNEYS AT LAW

118-35 QUEENS BOULEVARD, 9<sup>TH</sup> FLOOR

FOREST HILLS, NY 11375

PHONE (718) 261-7700 • FAX: (718) 261-3175

EMAIL: THEFIRM@RHCRLAW.COM

CLOSING DEPT. (718) 269-7777 • FAX (718) 709-0080

CLOSING DEPT. EMAIL: CLOSINGS@RHCRLAW.COM

WWW.RHCRLAW.COM

STEVEN M. HERTZ  
ELIOT J. CHERSON  
MICHAEL C. ROSENTHAL  
MICHAEL A. STEINER  
ROBERT I. MILLER  
KERRY S. GLASGOLD  
GREGORY T. SMITH  
HOWARD S. LEVINE

OF COUNSEL:

JEFFREY M. STEINITZ  
IRA B. POLLACK

DAVID I. PAUL  
HALEH AHDOOT  
MARIANNE NUNZIATA  
JANET GOLDSTEIN  
BARBARA J. FRANKFURT  
GEORGIA PAPAZIS  
VIJAY M. KITSON  
DANIEL P. PHILLIPS  
DAVID TROUPP  
ERICA KASS  
GREGORY S. LISS  
MITCHELL E. COHEN  
HEATH TYGAR  
JASON MOHABIR

November 14, 2018

Hon. Elizabeth S. Stong  
United States Bankruptcy Court  
Eastern District of New York

Re: Allied IV LLC  
Case Number 1-18-40884-ess

Dear Justice Stong,

My office represents Century 2000 Custom Home Builders, creditor-mortgagee in the above-referenced bankruptcy proceeding ("Century 2000"). Debtor Allied IV LLC ("Allied") recently filed two motions with the Court on October 16, 2018; A "Motion to Object/Reclassify/Reduce/Expunge Claims" and a "Second Motion to Extend Exclusivity Period" (Document Numbers 42 and 43 on the ECF website).

Allied's Motion to Object/Reclassify requests very serious relief regarding Century 2000's mortgage-lien on a commercial property which is part of the bankruptcy estate. The motion also raises claims and arguments which are already being litigated before the Court in two related matters pending in New York Supreme Court entitled "113 Discount Bazaar v. Allied IV and Century 2000 et. al." under Index #0705383/2013 ("113 Discount Bazaar Action") and "Century 2000 Home Builders v. Allied IV LLC et. al." under Index #0709050/2015 ("Century 2000 Action"). Debtor requested a stay in the Century 2000 Action and was granted such relief pending the Court's decision after trial in the 113 Discount Bazaar Action. A copy of the Court's decision staying the Century 2000 Action is enclosed herein. Allied IV LLC filed the instant bankruptcy proceeding on February 19, 2018 immediately prior to the scheduled trial being conducted in the 113 Discount Bazaar Action on February 22, 2018. A copy of the New York State e-courts website showing scheduling of the trial in that matter is also enclosed herein for the Court's reference.

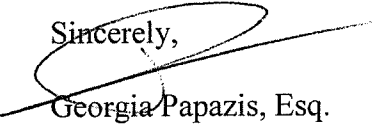
I write this correspondence to request an extension of time of both the hearing on the motions and Century 2000's time to respond to Allied's motions. My law office has been inundated with

an abnormally large work load in the past month as well a heavily-involved trial in New York Supreme Court which is scheduled to take place within the next few weeks. Allied's motions are serious in nature and will require lengthy and detailed responses. On November 13, 2018, my office contacted counsel for Allied to request a professional courtesy extension of time to respond to the motions and an adjournment of the hearing date. I did not receive a response and followed up with counsel today, November 14, 2018. I was told via email that counsel would consent only to a two-day extension to oppose the motions and would not adjourn the hearing date under any circumstances. Counsel reiterated the same over a phone conversation earlier today as well. Counsel would not extend a professional courtesy despite my explaining my office's exigent circumstances and the matter being on the Court's calendar for the first time on November 20, 2018.

The undersigned respectfully requests that Century 2000 be granted a one-time extension of time to respond to Allied's motions through and including December 14, 2018. Century 2000 is available to appear for a hearing date at any time thereafter which is practicable for the Court and the parties to the bankruptcy proceeding. The undersigned notes that this office granted Allied a professional courtesy when they requested an adjournment of the August 14, 2018 bankruptcy hearing, yet Allied has refused to return the same professional courtesy to this office.

I thank Your Honor for your time and attention to this matter . I can be reached via phone at 718-269-7783 or email at [Georgia.papazis@rhcrlaw.com](mailto:Georgia.papazis@rhcrlaw.com) with any questions or further correspondence regarding the instant matter.

Sincerely,

  
Georgia Papazis, Esq.

Cc:

U.S. Trustee  
Office of the United States Trustee  
Eastern District of NY (Brooklyn Office)  
U.S. Federal Office Building  
201 Varick Street, Suite 1006  
New York, NY 10014

Mark A. Frankel  
Backenroth, Frankel, & Krinsky LLP  
800 Third Avenue, 11<sup>th</sup> Floor  
New York, NY 10022

Law Offices of Coritsidis & Lambros, PLLC  
46 Trinity Place  
New York, NY 10006